

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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PATRICK J. WINTERS,

Petitioner,

v.

WARDEN MARK K. WILLIAMS,

Respondent.

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CASE NO. 4:20-cv-1235

OPINION & ORDER  
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

On June 5, 2020, Petitioner Patrick J. Winters brought this habeas corpus action under 28 U.S.C. § 2241.<sup>1</sup> Winters was an inmate at FCI Elkton when he filed his petition. On July 23, 2020, he was released from FCI Elkton.

Magistrate Judge Dowdell Armstrong recommends that the Court dismiss and deny Winters' § 2241 petition as moot. Winters did not file an objection to Magistrate Judge Dowdell Armstrong's Report and Recommendation ("R & R").

The Federal Magistrates Act requires district courts to conduct a de novo review only of objected-to portions of an R & R.<sup>2</sup> Absent objection, district courts may adopt an R & R without review.<sup>3</sup> Nevertheless, the Court has reviewed the R & R and concurs in its reasoning and result.

So, the Court **ADOPTS** Magistrate Judge Dowdell Armstrong's R & R and **DENIES** Winters' habeas corpus petition as moot.

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<sup>1</sup> Doc. [1](#).

<sup>2</sup> 28 U.S.C. § 636(b)(1).

<sup>3</sup> *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). Failure to timely object may waive a party's right to appeal the district court's order adopting the R & R. *Id.* at 155; *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981).

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GWIN, J.

IT IS SO ORDERED.

Dated: June 27, 2023

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE